# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7TH FLOOR Los Angeles, CA 90025

FACSIMILE: (714) 557-3347

### **RECEIVED CENTRAL FAX CENTER**

FEB 0 9 2005

# FACSIMILE COVER SHEET

Deliver to: Joshua A. Kading, USPTO  Facsimile No.: 703-872-9306  From: William W. Schaal, Reg. No. 39,  Our Docket No.: 3239P067  Application No.: 09/753,218  Enclosed are the following documents:	Art Group:2661
Amendment:Response (11_pgs)  Appcal Brief ( pgs) Application:	□ Issue Fee Transmittal □ Notice of Appeal □ Petition for:
CERTIFICATE OF MAILING	G/TRANSMISSION (37 CFR 1.8A)  If the date shown below to the United States  May 02/9/2005

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zalman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copyling, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

Date

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Susan McFarlene.

## RZCEIVED CENTRAL FAX CENTER

FFB **0 9** 2005

				FFB
TRANSMITTAL FORM		Application No.	09/753,218	
		Filing Date	December 28, 2000	
(to be used for all d	correspondence afte	r initial filing)	First Named Inventor	Darwin A. Engwer
			Art Unit	2661
	•		Examiner Name	Joshua A. Kading
Total Number of P	agos In This Submissi	on 14	Attorney Dockat Number	3239P067
	ENCLO	SURES (chec	k all that apply)	
Fee Transmittal	Form	Drawlng(s)		After Allowance Communication to Group
Fee Attack	hed	Licensing-	related Papers	Appeal Communication to Board of Appeals and Interferences
Amendment / Re	esponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final	l declaration(s)	Petition to provisional	Convert a Application	Proprietary Information
Extension of Tim	nc Request	Power of Attorney, Revocation Change of Correspondence Address		Status Letter
Express Abandonment Request Terminal Di		Disclaimer	Other Enclosure(s) (please identify below):	
	losure Statement	Request fo		
Certified Copy of Document(s)		CD, Numbe	er of CD(s)	
Response to Mis	ssino Parts/	Remarks	<u> </u>	
	: Filing Fee eration/POA			
	e to Missing er 37 CFR			
· · · · · ·	SIGNATUR	E OF APPLICA	NT, ATTORNEY, OR AC	SENT
Firm	William W. Sch	naal, Reg. No.	39,018	
or Individual name			TAYLOR & ZAFM	AN LLP
Signature	LAN	11/		
Date	Ectruary 9, 20	) एड		
I hereby certify that thi Trademark Office.			LING/TRANSMISSION ia facsimilo on the date sho	own below to the United States Patcht and
Typed or printed na	me Susan McFa	rlane		
Signature	54	So Most	Archo,	Date February 9, 2005

TO:USPTO

Date

FEE TO A NOMITTAL	Complete if Known				
FEE TRANSMITTAL	Application Number	r 09/7:	53,218		
for FY 2005	Filing Date	Dece	mber 28, 2	000	
Patent feus ero eubject to annual revision.	First Named Invent		zin A. Eng		
The Burney of the House Con 27 CER 4 27	Examiner Name		ıa A. Kadi	The state of the s	
Applicant daims small entity status. See 37 CFR 1.27.	Art Unit	2661			
TOTAL AMOUNT OF PAYMENT (\$) 0.00	Attorney Docket No				
	/ Redinite / Boots				
METHOD OF PAYMENT (check all that apply)					
	Mar. ( - 1 1 1	:C.A.			
	ther (please ident	• •			
Deposit Account Deposit Account Number: 02-2666 D	cposit Account Na	ume: <u>Blakely, So</u>	<u>koloff, Tayl</u>	or & Zalman LLP	
•	والممانية والمعالية والمعالية	to Johnsk all that			
For the above-identified deposit account, the Director is h	ereby aumorized to	cc(s) indicated be	appry)	for the filing fee	
Charge Ice(s) indicated below	<del></del>		iow, except	tor the tring icc	
Charge any additional fee(s) or underpayment of fee(	s) 🔀 Credit ar	y overpayments			
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.					
FEE CALCULATION					
		<del></del>			
1. EXTRA CLAIM FEES Extra Footnom					
Chaires below Fee Paid					
Tutul Claims 15 . 24' = 0 × \$0.00					
Independent 4 6° 0 × 50.00					
Metaple Departent =					
Large Entity Smell Entity					
Foo Foe Fee Fee Description				:	
Code (\$) Code (\$)					
1202 2202 (Taims in excess of 20 1201 2201 Independent claims in excess of 3					
1203 2203 Attulique Dependent claim. Il not paid					
1204 2204 "Retsaue independent chains over unigital patent 1205 "Ruissue claims in excess of 20 and over original patents."	ent "or	number previously paid, if p	groatur, Fur Roisse	ьөз. өөө бөюн	
SUBTOTAL (1) (5) 0.00					
(,,,	•				
2. ADDITIONAL FEES					
Large Entity Small Entity					
Foo Foo Foo Fee		_			
Code (5) Code (5) Fee Description		Fè	e Paid		
1051 2051 Suntharge - late life(y) let or oath	•				
1002 2002 Suncharge - late provisional filing fee or cover sheet 2003 Non-English specification					
7063 2053 Non-English specification 1251 2251 Extension for reply within first month					
1252 Extension for reptly within second month					
1253 2253 Extension for reply within third month 1254 2254 Extension for reply within fourth month		<u> </u>	<del></del>		
1254 2254 Extension for reply within fourth month 1255 2255 Extension for reply within fifth month		<del>                                     </del>			
1401 2401 Notice of Appeal					
1402 2402 Filing a brief in support of an appeal 1403 2403 Request for oral hearing			<del></del> }		
1403 2403 Request for oral hearing 1451 1,510 2461 1,810 Petition to institute a public use proceeding					
1460 2460 Peditions to the Commissioner					
1807 Processing foo under 37 CFR 1.17(q) 1806 1806 Submission of Information Disclosure Stut					
t006 1806 Submission of Information Disclosure Stret 1909 1809 Filling a submission after final rejection (37 CFR § 1	. \$29(a))	,			
1810 For pach additional invention to be examined (37 CFR § 1 129(b))					
1910 SWA NO PAGE SOCIED BY AND THE OR OF AND THE OF CO.	FR § 1 129(b))	t			
Other (ee (apacity)	FR § 1 129(b))				
	FR § 1 129(b))	(\$)		; ;	
Other (ee (apacity) SUBTOTAL (2)	FR § 1 129(b))	(\$)			
Other (ee (apacity)		(2)	, and the second	lete (if applicable)	
Other (ee (apacity) SUBTOTAL (2)	Registration No.	39,018	Çomp Telephone	lete (if applicable) (714) 557-3800	

FEE TO A MONAITT A I			Complete if I	Known		
FEE TRANSMITTAL for FY 2005 Pularit feas are subject to portual revision.		Application Number	er 09/7	53,218		
		Filing Date	Dece	mber 28, 2	2000	
		First Named Inven		vin A. Eng		
	all a libratoles	One 27 CER 4 27	Examiner Name		ua A. Kadi	
Applicant clain	ns small entity status.	See 37 CFR 1.27.	- Art Unit	2661		
TOTAL AMOUN	T OF PAYMENT	(\$) 0.00	Attorney Docket N			<del></del>
			TALOTTO, GOODS			
METHOD OF	PAYMENT (check	all that apply)				
			Other (please iden	664		
	dit card 🏻 Молсу mt Deposit Accoun	<del></del>	••	• •	koloff, Tayl	or & Zafman LLP
☐ Charge f ☑ Charge a	ee(s) indicated belo	or underpayment of fee	Charge I	to: (check all that fee(s) indicated be ny overpayments	apply) low, except	for the filing fee
FEE CALCULATION	ON					·
1. EXTRA CL Total Claims 1 Independent Claims Multiple Dependent	5 24 = 0 x	Fac from below Fee Paid \$0.00 = \$0.00				
	Small Entity					
	ode (5)					
1	Cluims in exces					
,	ona Multiple Depend	lms in excess of 3 lent claim, if not paid				
1204 23	Relssue Indep	endent claims over original patent s in excess of 20 and over original pa	Hon!	v number previously paid, if	greater, For Relss	ues, see below
1205	100					
	SUBTOTAL (1)	(\$) 0.00				
2. ADDITION	IAI FEES					
Large Entity	Small Entity					
Fee Fee Code (5)	Fee Fee  Code (5)	C B!-!		<b>,</b>	- 0.14	
, ,	f .	Fee Doscription		F6	e Paid	
1001 1052		late fläng fee or ceth ate provisional filing foc or cover she	et.	···		
2053	2053 Non-English					
1251 1252		seply within tirst month reply within second month		-	<u></u>	
1253		reply within third month				
1254	1	reply within tourth month				
1255 1401	2265 Extension for 2401 Notice of Ap	reply within titth month neet		<u> </u>	<b></b> .	
1402		In support of an appeal				
1403	2403 Request for a	<del>-</del>				
1461 1,510 1460		stauta a public use proceeding ha Commissioner			<del></del>	
1867		ee under 37 CFR 1.17(q)				
1006	1	of Information Disclosure Shift	4 420/-11	<u> </u>	[	
1809	1	ission after final rejection (37 CFR § Worst Immotion to be examined M7 (		<b> </b>	I	
1810 2010 Für each additional invention to be examined (37 CFR § 1.129(b))						
Other tee (specify) SUBTOTAL (2) (5)						
SUBMITTED BY	Y				Comp	lete (if applicable)
Name (Рим/Туре)	William W. Schau		Rogistration No. (Attornoy/Agent)	39,018	Telephono	(714) 557-3800
Signature	5-11-1	7/			Date	02/09/05

Appl. No. 09/753,218 Amdt. Dated MM/DD/YYYY Reply to Office action of 11/9/2004 RECEIVED CENTRAL FAX CENTER

FEB 0 9 2005

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

09/753,218

Confirmation No. 9343

Applicant

Darwin A. Engwer

Filed

Dat will A. Engn

TC/A.U.

12/28/2000

Examiner

Joshua A. Kading

Docket No.

003239.P067

Customer No. :

8791

2661

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

#### **AMENDMENT**

Sir:

In response to the Office Action of 11/9/2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.